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TAGS: [PGOV](#) [PHUM](#) [PREL](#) [GG](#)  
SUBJECT: GEORGIA: AMBASSADOR DISCUSSES RULE OF LAW WITH  
MINISTER OF JUSTICE

Classified By: AMBASSADOR JOHN F. TEFFT. REASONS: 1.4 (B) AND (D).

¶1. (C) Summary: The Ambassador met with Minister of Justice Zurab Adeishvili on July 6 to discuss USG assistance in apprehending a wanted former advisor to President Shevardnadze, Temur Basilia. Basilia is believed to be in the U.S. The Ambassador took the opportunity to raise a number of issues involving the rule of law and democratic reforms including: adoption of the criminal procedure code, implementation of jury trials, and handling protest-related arrests and prosecutions in a fair, open and transparent manner. End Summary.

#### Adeishvili Requests USG Assistance

¶2. (C) Adeishvili asked the Ambassador for help in locating, arresting, and possibly deporting Temur Basilia to Georgia for prosecution in connection with his alleged role in rampant corruption (among other crimes) during the Shevardnadze presidency. Adeishvili said the GoG had lost track of Basilia, but that he recently reappeared at a press conference in the U.S. where he asked questions. Adeishvili's deputy, Tina Burjaliani and MoIA representatives have scheduled a meeting with Post's Legatt to discuss the matter in greater detail.

#### Ambassador Stresses Need for Democratic Reforms - Rule of Law

¶3. (C) The Ambassador raised the issue of transparency in prosecutions and specifically raised concerns about recent reports of financial police targeting businesses, especially those who might support the political opposition. Adeishvili said that the financial police were in fact stepping up enforcement across the board to collect what the GoG believed was a significant portion of revenue that businesses were either avoiding or evading paying. As evidence that the effort was not politically motivated, Adeishvili told the Ambassador that a sitting MP from the UNM has a business in tax arrears (USD 10 million) that was being shut down. Adeishvili indicated this was just one of many counter-examples to the claim that the Ministry was only pursuing prosecutions and tax enforcement against opposition political party supporters. Adeishvili noted that the Ministry was losing, in his estimation, roughly 50 percent of tax cases on appeal, so it could not be accurately said that the executive has unchecked control over a compliant judiciary.

¶4. (C) Adeishvili agreed that the government need to handle the aftermath of the protests in a restrained manner, just as it had the protests. The Ambassador emphasized that there could be no criminal retribution for legitimate political protests. Adeishvili said that he was willing to assist Post in any way with its inquiries into specific cases or incidents. Adeishvili dismissed claims from the opposition about activists being targeted, saying that drugs and guns were a problem in Georgia amounting to a few thousand arrests a month across the country. Adeishvili said that

statistically it could be expected that a percentage of those arrested would be opposition supporters. Adeishvili also said anecdotally a number of run-of-the-mill arrestees claim they are opposition members upon arrest to try to gain some sort of bargaining leverage in the hopes the authorities would treat them less severely for fear of international criticism.

15. (C) Adeishvili expected the criminal procedure code would have its second reading in the Parliament in July. The Ambassador hoped it would be passed before President Biden's visit. Its final reading is scheduled for September, when Qvisit. Its final reading is scheduled for September, when the code will hopefully be adopted. He said the Ministry of Justice expected to start its pilot program on jury trials roughly a year after the criminal code is adopted, meaning approximately September 2010. Adeishvili said that the current draft law pending in Parliament regarding protests was not meant to be pushed through quickly in anticipation of the Vice Presidential visit, but rather was simply clarifying certain ambiguities in the current law. Adeishvili said the law would likely not be passed until later this fall. Adeishvili expressed his gratitude for USG assistance in training, noting the utility and success of the programs.

TEFFT